



Atty. Dkt. No. 047711-0286

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott R. Gibson et al.

Title: INFUSION DEVICE AND INLET  
STRUCTURE FOR SAME

Appl. No.: 10/034,628

Filing Date: 12/27/2001

Examiner: Manuel A. Mendez

Art Unit: 3763

<p><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p>_____ Jose Ramos (Printed Name)</p> <p>_____ (Signature)</p> <p>July 15, 2004 (Date of Deposit)</p>
---

AMENDMENT TRANSMITTAL

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.
- ☐ Assertion of Small Entity status is enclosed.
- ☒ The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	0	55	0	\$18.00	\$0.00
Independent Claims:	0	10	0	\$86.00	\$0.00
First presentation of any Multiple Dependent Claims:				\$290.00	\$0.00
CLAIMS FEE TOTAL					\$0.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

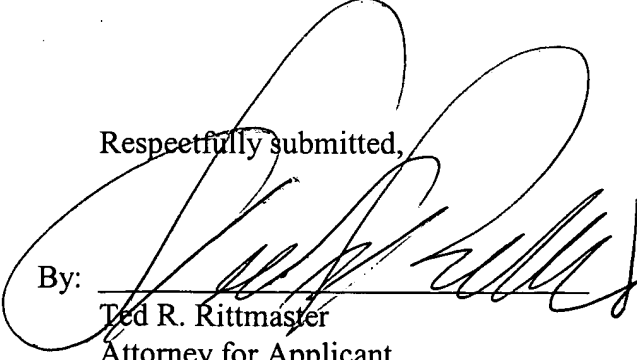
<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$420.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$950.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,480.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,010.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$0.00

- ☐ Please charge Deposit Account No. 50-0872 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$0.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date: July 15, 2004  
 FOLEY & LARDNER LLP  
 Customer Number: 23392  
 Telephone: (310) 975-7963  
 Facsimile: (310) 557-8475

Respectfully submitted,

By:   
 Ted R. Rittmaster  
 Attorney for Applicant  
 Registration No. 32,933



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott R. Gibson et al.  
Title: INFUSION DEVICE AND INLET  
STRUCTURE FOR SAME  
Appl. No.: 10/034,628  
Filing Date: 12/27/2001  
Examiner: Manuel A. Mendez  
Art Unit: 3763

<p><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p>_____ <i>Jose Ramos</i> (Printed Name)</p> <p>_____ (Signature)</p> <p>_____ <i>July 15, 2004</i> (Date of Deposit)</p>
---

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed June 21, 2004, Applicant hereby provisionally elects, with traverse, the species identified by the Examiner as corresponding to Figure 4.

In the Office Action dated June 21, 2004, the Examiner has required the Applicant to elect a single species from the following three species identified by the Examiner:

1. Figure 4;
2. Figure 14; and
3. Figure 16.

As described below, claims 1-49 are either directed to the elected species or generic to the elected species and at least one other species.

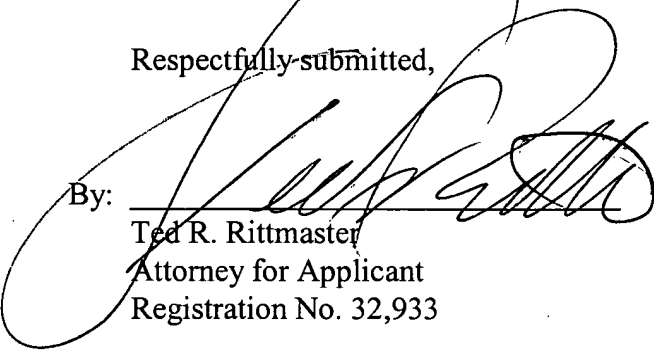
More specifically, claims 1-6, 8 10-22, 35-45, 47 and 49 are generic to all three species identified by the Examiner. In addition, claims 7, 9, 23-34, 46 and 48 are generic to the species of Figs. 4 and 14. Accordingly, it is submitted that at least claims 1-49 should be considered during the examination of the present application.

Entry and consideration of this Response is requested. If any additional information is needed for responding to the restriction requirement or any other aspect of the Office Action, the Examiner is requested to contact the undersigned attorney at the Los Angeles telephone number (310) 975-7963.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date: July 15, 2004  
FOLEY & LARDNER LLP  
Customer Number: 23392  
Telephone: (310) 975-7963  
Facsimile: (310) 557-8475

By:   
Ted R. Rittmaster  
Attorney for Applicant  
Registration No. 32,933